

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

HSBC BANK PLC, et al.,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 09-1364 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL WITH
PREJUDICE AS TO DEFENDANTS UNICREDIT S.p.A. AND PIONEER
ALTERNATIVE INVESTMENT MANAGEMENT LIMITED**

Irving H. Picard (the “Trustee”) as trustee for the liquidation of the business of Bernard L Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the substantively consolidated estate of Bernard L. Madoff, by and through his counsel, Baker & Hostetler LLP, and defendants UniCredit S.p.A. (“UniCredit”) and Pioneer Alternative Investment Management Limited

(“Pioneer” and with the Trustee and UniCredit, the “Parties”), by and through their counsel, Skadden, Arps, Slate, Meagher & Flom LLP, hereby stipulate and agree to the following:

1. On December 5, 2010, the Trustee filed the Amended Complaint against, *inter alia*, UniCredit and Pioneer.
2. On November 12, 2014, the Trustee entered into a settlement agreement with defendants Primeo Fund (In Official Liquidation) and Herald Fund SPC (In Official Liquidation) pursuant to Federal Rule of Bankruptcy Procedure 9019, which also resolved the Trustee’s claims against UniCredit and Pioneer. The settlement agreement was approved by this Court on December 17, 2014, ECF No. 349.
3. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(A)(ii) and Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against UniCredit and Pioneer in the above-captioned adversary proceeding.

[signatures to follow on next page]

Dated: July 17, 2015
New York, New York

<u>s/ Oren Warshavsky</u> Baker & Hostetler LLP 45 Rockefeller Plaza New York, New York 10111 Telephone: (212) 589-4200 Facsimile: (212) 589-4201 Oren Warshavsky Email: owarshavsky@bakerlaw.com Gonzalo Zeballos Email: gzeballos@bakerlaw.com Geoffrey A. North Email: gnorth@bakerlaw.com	<u>s/ Marco E. Schnabl</u> Skadden, Arps, Slate, Meagher & Flom LLP Four Times Square New York, New York 10036 Telephone: (212) 735-3000 Facsimile: (212) 735-2000 Marco E. Schnabl Email: marco.schnabl@skadden.com Susan L. Saltzstein Email: susan.saltzstein@skadden.com
<i>Attorneys for Plaintiff Irving H. Picard, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff</i>	<i>Attorneys for Defendants UniCredit S.p.A. and Pioneer Alternative Investment Management Limited</i>

SO ORDERED

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE

Dated: July 17th, 2015
New York, New York